## REMARKS

Claims 1-12 and 14-15 are pending in the application. Claims 2 and 15 has been amended. Support for the amendments and the new claim may be found in the specification as originally filed. No new matter has been added.

### CLAIM OBJECTION

The Office Action objects Claim 15 due to informalities. Claim 15 has been amended to correct the informalities. Reconsideration is requested.

### REJECTIONS UNDER 35 USC 102(b)

1. Claims 1-12, 14 and 15 stand rejected under 35 USC 102(b) as being anticipated by Neer et al. (hereinafter "Neer").

It is well settled that in order for a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in prior art. The disclosure requirement under 35 USC 102 presupposes knowledge of one skilled in art of claimed invention, but such presumed knowledge does not grant license to read into prior art reference teachings that are not there. See *Motorola Inc. v. Interdigital Technology Corp.* 43 USPQ2d 1481 (1997 CAFC). It is also well-settled that a 35 USC 102 rejection must rest upon the literal teachings of the reference and that the teachings must disclose every element of the claimed invention in as complete detail as is contained in the claim (See. *Jamesbury Corp v. Litton Industrial Products, Inc.* 225 USPQ, 253, 256 (CAFC 1985); *Kalman v. Kimberly-Clark Corp* 218 USPQ 781, 789 (Fed. Cir. 1983)).

The Office Action alleges that Neer detaches "a syringe adapter (31) comprising a rear mounting member (37) to engage a syringe retaining mechanism (125) on an injector, a front mounting member (33) with capture members (85) to engage a syringe (32).

However, Neer discloses that:

The pressure jacket 31 has a generally cylindrical inner bore 33 extending therethrough

from a proximate end 34 adjacent the door 25 to a remote end 35 of the pressure jacket 31 toward the front of the unit 20. The bore 33 is dimensioned so as to receive through the remote end 35 the disposable syringe 32 and to support the syringe against expansion from fluid pressure within such fluid pressure may range to more than a thousand psi. The pressure jacket 31 has an annular flange 37 extending outwardly around the proximate end 34. The flange 37 is integrally formed with the jacket cylinder and is shaped to conform to an annular recess 38 surrounding a circular hole 39 in the door 25 to which the jacket 31 may be assembled by insertion from the rear. The hole or opening 39 in the door 25 and the cylindrical bore 33 of the jacket 31 are concentric with a longitudinal axis 40 on which also lies an axis 41 of the syringe 32 when the syringe 32 is positioned in the bore 33 of the jacket 31. The jacket 31 is firmly and rigidly attached to the door 25 with a pair of screws 43, only one of which is shown, which are threaded into a pair of holes 44 in the back of the door 25 (FIG. 2). An O-ring seal 46 surrounds the flange 37 of the jacket 31 in the recess 38 of the door 25. (Col 7, lines 38-61)

Thus, Neer requires that the syringe adapter or jacket 31 be oriented specifically for for attachment to the door 21 (injector) because the screws with screw holes connect the jacket 31 to the injector. Thus, Neer discloses a syringe adapter that requires a specific syringe orientation relative to the jacket, and therefore does not disclose the Applicants' invention of Claim 1 including "the rear mounting member is adapted to engage the syringe retaining mechanism of the injector regardless of the orientation of the syringe adapter with respect to the injector."

Regarding Claim 2, Neer does not disclose Applicants' invention of Claim 2. Neer discloses that:

The syringe 32 includes structure that is configured to lock the syringe 32 to the front end of the jacket 31 by cooperating with mating structure on the jacket 31. The jacket 31 has, spaced around the circumference thereof near the remote or front end 35 of the jacket 31, four equally spaced outwardly projecting thread sections 85. These thread sections 85 are slightly less than 45.degree. in extension around the circumference of the jacket 31 and are spaced apart with gaps of slightly greater than 45.degree.. The cap 51 has a cylindrical rim 87 in which are formed four similarly sized and spaced mating thread sections 86. The thread sections 86 project inwardly toward the jacket 31 when the syringe 32 is positioned in the jacket 31. As such, when the syringe 32, with the cap 51 assembled to it is inserted into the jacket 31, the threads 86 of the cap 51 pass through the spaces between the threads 85 on the jacket 31 to a point behind the threads 85. When so inserted, the syringe assembly 32 with the cap 51 may be twisted clockwise 45.degree. to tighten and thereby secure the cap 51 to the jacket 31 by engagement between the threads 85 and 86 as shown in FIG. 5, to thereby lock the syringe in the bore 33.

Therefore, Neer discloses that the front mounting member or bore 33 with capture members or threads 85 engages the syringe 32. The threads 85 of Neer are discontinuous. Thus, Neer does not disclose Applicants' invention of Claim 2 including "wherein the at least one capture member includes an annular surface terminating with a continuous distal ledge. "

Regarding Claims 3-12, Claims 3-12 depend from Claims 1 or 2 either directly or indirectly. As discussed above, independent Claims 1 and 2 are believed to be allowable, thus Claims 3-12 are also believed to be allowable. Further, Neer does not disclose "at least one capture member [that] is moveable to engage the corresponding moutnign member associated with the syringe" of Claim 3 or all of the elements in each of Claims 4-12. Accordingly, Claims 3-12 are also believed to be allowable and reconsideration of the rejection is requested.

2. Claims 1-12, 14 and 15 stand rejected under 35 USC 102(e) as being anticipated by Yamamoto.

The Office Action alleges that "Yamamoto teaches a syringe adapter (200) comprising a rear mounting member (217) to engage a syringe retaining mechanism (13) on an injector, a front mounting member (202) with capture members (204, 205) to engage a syringe (2)."

However, Yamamoto discloses "The syringe adaptor 200 has a body part 201 having an opening 201a. The body part 201 is provided on its one end with a pair of projections 217 and 218 which are engaged with convex parts 13 (see FIG. 14) provided on an inner peripheral surface 14 of an opening 12 of the injection head 11 for fixing the syringe adaptor 200 itself to the injection head 11, on positions opposed to each other along the peripheral surface of the body part 201." Thus, Yamamoto discloses that the projections 217, 218 have to be oriented to mate with the convex parts 12, and thus does not disclose a syringe adapter including "the rear mounting member [that] is adapted to engage the syringe retaining mechanism of the injector regardless of the orientation of the syringe adaptor with respect to the injector" of Claim 1.

Yamamoto also discloses that "the body part 201 is further provided on its other end with a base part 202, a flange receiving part 203 supporting the flange part 5 (see FIG. 1) of the syringe 2 from the rear end and the outer side surface, and a pair of holding members 204 and 205 covering the flange part 5 from the front end of the syringe 2 thereby supporting the flange part 5 along with the flange receiving part 203 while holding the body part of the syringe 2 along its outer peripheral surface. The holding members 204 and 205 are rotatably fixed to the body part 201 through fixing holes 204a and 205a, which are provided in first ends thereof, with screws 206 and washers 207 through screw holes 202c and 202d provided on the base part 202 respectively. The holding members 204 and 205 are provided with slots 204b and 205b for limiting open states thereof in the vicinity of the fixing holes 204a and 205a respectively, while the screws 206 and the washers 207 are mounted through screw holes 202a and 202b which are provided on the base part 202." (col. 6, lines 6 -26). Essentially Yamamoto discloses separated holding members 204, 205 that also rotatably fixed, therefore there is no front mounting member comprising at least one capture member that "includes an annular surface terminating with a continuous distal ledge" of Applicants' invention of Claim 2.

With regard to Claim 14, as discussed above Yamamoto discloses projections 217, 218 which mate with convex parts 13, and thus the adaptor 200 must be aligned properly with the injector. Therefore, Yamamoto does not disclose a method of adapting an injector to accept a syringe including "installing an adapter configured to accept the syringe on the injector without regard to the orientation of the adapter with respect to the injector" of Claim 14.

With regard to Claim 15, as discussed above Yamamoto does not disclose "the rear mounting member [that] is adapted to engage the syringe retaining mechanism of the injector regardless of the orientation of the syringe adaptor with respect to the injector." Furthermore, Yamamoto does not disclose "one or more projections adapted to engage corresponding members of the syringe retaining mechanism to enable release of the syringe from the injector through rotational motion." Thus, Yamamoto does not disclose Applicants' invention and reconsideration is requested.

Further, regarding Claims 3-12 depend from Claim 1 or 2, which as discussed

above are believed to be allowable. Thus Claims 3-12 are also believed to be allowable and reconsideration is requested.

In view of the above amendments and remarks, Applicants submit that the claims are in condition for allowance and the Examiner would be justified in allowing them.

Respectfully submitted,

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